

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARY S. BECERRA,

Defendant.

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8:06CR32

ORDER

This matter is before the court on the motion to continue by defendant Mary S. Becerra (Becerra) (Filing No.31). Becerra seeks a continuance of the trial of this matter to mid-September. Becerra has recently retained new counsel who needs time to prepare for trial. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. Becerra's motion to continue trial (Filing No. 31) is granted.
2. Trial of this matter is re-scheduled for **September 25, 2006**, before Chief Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **July 26, 2006 and September 26, 2006**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 26th day of July, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge